

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA OF
NORTHERN DIVISION

KYM GRAY, #203553,)
Plaintiff,)
v.) CASE NO. 2:06-cv-0107-MEF
PAUL WHALEY, *et al.*,)
Defendants.)

ORDER

On October 16, 2007, the Magistrate Judge filed a Recommendation (Doc. #19) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the

ORDER, JUDGMENT and DECREE of the court that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. Defendant Whaley's motion for summary judgment, as supplemented (Doc. #10),

is GRANTED as to all federal claims and those claims are DISMISSED with prejudice;

3. The court declines to exercise supplemental jurisdiction over plaintiff's state law claims and those claims are DISMISSED without prejudice;
4. Judgment is entered in favor of defendant Whaley and against plaintiff on the federal claims; and
5. The costs of this proceeding be taxed against plaintiff for which execution may

issue.

Done this the 7th day of November, 2007.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE